REMARKS

The application has been amended and is believed to be in condition for allowance.

The claims were amended responsive to the claim objections.

Claims 1-20 remain in this application.

Claims 1-3 were rejected under 35 USC §103(a) as being unpatentable over TSUJITA (6,516,217) in view of MODELL et al. (US 5,813,987).

Claims 4-20 were rejected under 35 USC §103(a) as being unpatentable over TSUJITA (US 6,516,217) in view of MODELL et al. (US 5,813,987) and further in view of LEGARGASSON et al. (US 6,470,124).

Applicants respectfully disagree.

The Official Action refers to Applicant's arguments filed on July 10, 2006 and finds that the arguments were persuasive. However, according to said arguments, TSUJITA does **not** disclose at least:

1) ".., output an optical head (4) intended to be placed in contact with the biological tissue (6),"

2) "optical head being equipped with optical means adapted for converging the excitation signal coming out of said bundle (3) into a subsurface analysis zone (5),"

3) "the same optical fibre or fibres of said bundle having served for carrying the excitation signal being used for detecting the signal emitted by said subsurface analysis zone," 4) "means (D) placed upstream of the means for injecting (2) being moreover provided for separating the excitation signal wavelength and the autofluorescence signal wavelength."

As fully explained in Applicant's arguments filed on July 10, 2006, said four recited features of claim 1 are not disclosed by TSUJITA. Therefore, there is no anticipation.

The present Official Action refers to TSUJITA in view of MODELL, and no relevant passage is cited against features 1) and 4) here-above.

It is clear that TSUJITA does not render obvious present claim 1 in view of MODELL.

Moreover, the Official Action considers that MODELL teaches a system with optical means adapted for converging the excitation signal coming out of said bundle into a subsurface analysis zone, and the same optical fiber or fibers of said bundle having served for carrying the excitation signal being used for detecting the signal emitted by said subsurface analysis zone.

Additionally, applicants consider that MODELL does not disclose features 2) and 3) here-above. The Official Action refers to Figure 2, elements 36 and 38, Figures 3A-3B, column 12, line 30 to column 14, line 36.

Applicants have carefully studied paragraphs cited by the Official Action and have found no disclosure concerning features 2) and 3).

MODELL discloses a probe which stimulates and collects responses from a volume element. The illumination beam has a defined irradiance distribution that falls greatly outside a first region. The instrumentation for collecting responses to the stimulation has a collection efficiency that has similar spatial discrimination about a second region, with the first and second regions intersecting to define the probed volume element.

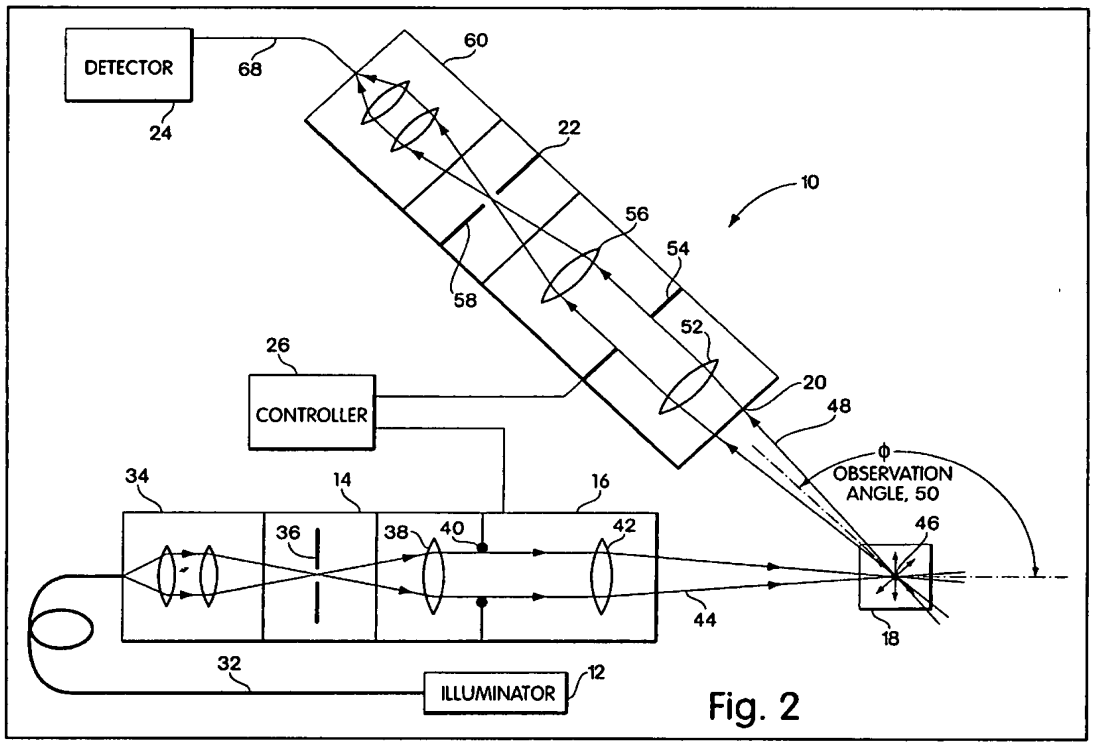

Fig. 2

Figure 2, seen above, clearly discloses two paths: the path (32, 34) used for carrying the excitation signal is different from the path (60, 68) used for detecting the signal emitted by the element.

Reconsideration and allowance of claim 1 are respectfully requested.

The dependent claims are allowable at least for depending from an allowable claim.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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